

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
NYENE HENRY BAKER, JR.,	:	VIOLATIONS:
a/k/a "Jason Anderson,"	:	21 U.S.C. § 846 (conspiracy to distribute
a/k/a "Joshua Irving,"	:	5 kilograms or more of cocaine and
a/k/a "Bryan Smith,"	:	marijuana – 1 count)
a/k/a "Unsco,"	:	21 U.S.C. § 841(a)(1) (possession with
a/k/a "Henry"	:	intent to distribute 500 grams or more of
	:	cocaine –1 count)
	:	21 U.S.C. § 841(a)(1) (possession with
	:	intent to distribute marijuana – 1 count)
	:	21 U.S.C. § 856 (maintaining a drug
	:	storage facility)
		Notice of forfeiture

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

1. From at least in or about summer 2007, through on or about February, 25, 2010, in the Eastern District of Pennsylvania, and elsewhere, defendant

**NYENE HENRY BAKER, JR.,
a/k/a "Jason Anderson,"
a/k/a "Joshua Irving,"
a/k/a "Bryan Smith,"
a/k/a "Unsco,"
a/k/a "Henry,"**

conspired and agreed, with others known and unknown to the grand jury, to knowingly and intentionally distribute and possess with intent to distribute five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and to knowingly and intentionally possess with in intent to distribute for remuneration a mixture and substance

containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

2. From at least in or about early 2008, to in or about February, 2010, defendant NYENE HENRY BAKER, JR. traveled to and from California, by airplane and by vehicle, sometimes under an alias name, and arranged for other co-conspirators, known and unknown to the grand jury, to transport bulk cash for him to California by automobile and by airplane to purchase cocaine.

3. Defendant NYENE HENRY BAKER, JR. met other co-conspirators in California and stayed in Los Angeles area hotels, to arrange for the purchase of bulk cocaine while in California.

4. Defendant NYENE HENRY BAKER, JR. obtained kilogram quantities of cocaine from his cocaine supplier in the Los Angeles area, and arranged for other co-conspirators to conceal and transport bulk cocaine for him back to Philadelphia and New Jersey from California.

5. Defendant NYENE HENRY BAKER, JR. arranged for the storage and distribution of cocaine and marijuana at various locations in Pennsylvania and New Jersey.

6. From at least in or about early 2008, through in or about February, 2010, defendant NYENE HENRY BAKER, JR. made, and caused to be made, significant deposits of cash, from the proceeds of drug sales, into his bank account at Bank of America. Defendant BAKER also made cash deposits of drug proceeds into accounts maintained by family members and others, accessed such accounts, and used cash, including cash deposited into such accounts,

to purchase real estate, airplane tickets, rental cars and to make other purchases.

7. From in or about April, 2009, to in or about July, 2009, defendant NYENE HENRY BAKER, JR. caused to be made significant deposits of cash drug proceeds into his sisters' bank accounts, and such funds were used to purchase two properties in Trenton, New Jersey in July, 2009, and to pay off a tax lien on another property in Trenton, New Jersey, in or about July, 2009.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant NYENE HENRY BAKER, JR., and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. In the summer of 2007, defendant NYENE HENRY BAKER, JR. delivered approximately two kilograms of cocaine to Person #1 known to the grand jury, in New Jersey.

2. In or about late 2007 or in or about early 2008, defendant NYENE HENRY BAKER, JR. and another individual delivered approximately 10 pounds of marijuana to Person #1 in New Jersey.

The July 2008 transportation of bulk cash to Los Angeles, California.

3. On or about July, 26, 2008, defendant NYENE HENRY BAKER, JR. and Person #1 flew together from Philadelphia to Los Angeles, and Person #1 transported bulk cash on the flight for defendant NYENE HENRY BAKER, JR for the purchase of cocaine.

4. On or about July 31, 2008, defendant NYENE HENRY BAKER, JR. flew back from Los Angeles with Person #1.

The June 2009 transportation of bulk cash to Los Angeles, California.

In or about mid-June, 2009:

5. Defendant NYENE HENRY BAKER, JR., Person # 3 known to the grand jury (Person #3), and Person #6 known to the grand jury (Person #6) drove in a Jeep owned by defendant BAKER from New Jersey to California, in which they transported bulk cash.

6. Defendant NYENE HENRY BAKER, JR. paid Person #3 approximately \$2,500 to travel with him to California in the Jeep and to transport the bulk cash.

7. Defendant NYENE HENRY BAKER, JR., using the name “Jason Anderson,” Person #3, and Person # 6 stayed at a Best Western hotel in the Los Angeles area.

8. After staying in the Los Angeles area, defendant NYENE HENRY BAKER, JR., Person #3, and the other individual returned in the Jeep from California to New Jersey.

The July 2009 purchase of approximately 8 kilograms of cocaine.

In or about July 12, 2009:

9. Defendant NYENE HENRY BAKER, JR. arranged for Person # 2 known to the grand jury (Person # 2), charged elsewhere, to fly from Atlanta to Philadelphia.

10. To obtain kilograms of cocaine, defendant NYENE HENRY BAKER, JR. met Person # 2 and Person # 3 at a parking lot in Morrisville, Pennsylvania and gave them his Jeep to drive to California.

11. On or about July 12, 2009, defendant NYENE HENRY BAKER, JR. deposited \$600 in cash into his Bank of America bank account.

On or about July 13, 2009:

12. Defendant NYENE HENRY BAKER, JR. rented a hotel room for several hours for two adults at a Comfort Inn, Philadelphia, prior to taking an airline flight from Philadelphia to Los Angeles, California.

13. Later the same day, defendant NYENE HENRY BAKER, JR., traveling under the name “Jason Anderson,” and Person #4 known to the grand jury (Person #4) flew from Philadelphia to Los Angeles on Southwest Airlines.

14. From on or about July 15, 2009 to on or about July 16, 2009, defendant NYENE HENRY BAKER, JR. serviced his Jeep at a Los Angeles area Pep Boys store.

On or about July 16, 2009:

15. Defendant NYENE HENRY BAKER, JR. and Person # 4 went to a location in the Los Angeles area and obtained approximately 8 kilograms of cocaine from defendant BAKER's cocaine supplier, and placed the cocaine in a hidden compartment in defendant BAKER's Jeep.

16. Person # 2 and person # 3 subsequently drove defendant NYENE HENRY BAKER, JR.'s Jeep, in which approximately 8 kilograms of cocaine were secreted, from Los Angeles, California.

17. Defendant NYENE HENRY BAKER, JR., using the alias name "Jason Anderson," and Person #4 flew from Los Angeles airport to Philadelphia on a US Airways flight.

On or about July 17, 2009:

18. While driving from Los Angeles, Person # 2 and Person # 3 were stopped by a Texas law enforcement officer in Oldham County, Texas, and the 8 kilograms of cocaine were confiscated from the hidden compartment in defendant NYENE HENRY BAKER, JR.'s Jeep.

19. Defendant NYENE HENRY BAKER, JR. provided approximately \$8,200 in bulk cash to Person # 5 known to the grand jury (Person # 5), to pay for the bail of Christabel Freeman charged in Oldham County, Texas.

20. On or about July 17, 2009, Person # 5 went to a Western Union in Morrisville, Pennsylvania, and paid for a \$7,930 wire transfer (plus service fees), payable to Affordable Bail Bonds, Texas, to pay for the bail of Person # 2 and Person # 3.

The purchase of approximately three kilograms of cocaine.

On or about August 1, 2009:

21. Defendant NYENE HENRY BAKER, JR. provided approximately \$3,400 in cash to Person # 7 known to the grand jury (Person # 7) and caused the deposit of that cash into a Wachovia bank account in Trenton, New Jersey.

22. In Trenton, New Jersey, defendant NYENE HENRY BAKER, JR., deposited approximately \$660 into his Bank of America bank account.

23. At the Trenton, New Jersey residence of Person # 8 known to the grand jury (Person # 8) defendant NYENE HENRY BAKER, JR., Person # 7 and Person # 8 used a laptop computer to make airline reservations to fly from Philadelphia International Airport and Baltimore Washington International Airport to Los Angeles International Airport on or about August 1, 2009. Defendant BAKER's reservation was made in the alias name "Jason Anderson." Payment for the tickets was made out of the Wachovia bank account identified in Overt Act #21.

24. Defendant NYENE HENRY BAKER, JR., Person # 7, and Person # 8 went to a Forman Mills store in Trenton, New Jersey to purchase large-size clothing to conceal the transportation of bulk cash and bulk cocaine at airports and on airplanes.

On or about August 2, 2009:

25. After obtaining approximately \$70,000 in cash from defendant NYENE HENRY BAKER, JR., Person # 7 and Person # 8 went to a room at the Holiday Express in Morrisville, Pennsylvania, where they concealed on their bodies approximately \$70,000 in bulk cash wrapped in cellophane.

26. Defendant NYENE HENRY BAKER, JR. boarded an AirTran Airlines flight in Baltimore, Maryland, using the alias name "Jason Anderson," and flew to Los Angeles, California.

27. Defendant NYENE HENRY BAKER, JR. rented a car at Dollar Rent-A-Car near Los Angeles International Airport, which he paid for using a check card drawn on his Bank of America bank account.

28. Defendant NYENE HENRY BAKER, JR. rented a room in his alias name, "Jason Anderson," at a Best Western Hotel near Los Angeles.

29. After Person # 7 and Person # 8 took a flight from Philadelphia International Airport to Los Angeles with approximately \$70,000 concealed on their bodies, they met defendant NYENE HENRY BAKER, JR. in Los Angeles, and delivered the cash to him.

On or about August 3, 2009:

30. Defendant NYENE HENRY BAKER, JR. and Person # 8 obtained approximately three kilograms of bulk cocaine in the Los Angeles area.

31. Defendant NYENE HENRY BAKER, JR., Person # 7, and Person # 8 packaged and concealed the bulk cocaine on their persons inside the Best Western Hotel room in the Los Angeles area.

On or about August 4, 2009:

32. Defendant NYENE HENRY BAKER, JR., Person # 7, and Person # 8 purchased tickets on Southwest Airlines to fly from Los Angeles to Philadelphia International Airport, and paid for the tickets using the same Wachovia account identified in Overt Act #21.

33. Defendant NYENE HENRY BAKER, JR. accompanied Person # 7 and Person # 8 on Southwest Airlines flights from Los Angeles, California to Chicago and then to

Philadelphia. Person # 7 and Person # 8 carried approximately three kilograms of cocaine concealed on their bodies on that flight.

34. After arriving at Philadelphia International Airport with approximately three kilograms of cocaine, Person # 7 and Person # 8 transported the cocaine in a vehicle and drove it from the airport toward New Jersey on Interstate 95, with the intention of meeting defendant NYENE HENRY BAKER, JR. in New Jersey to deliver the cocaine to him, when they were stopped by the police.

The February 24, 2010 Possession of Cash, Cell Phones, and a Plane Ticket

35. On or about February 24, 2010, defendant NYENE HENRY BAKER, JR. possessed keys and storage codes to storage lockers, a TD Bank debit card for an account maintained by his sister, TD Bank account numbers for his sister's bank accounts, approximately \$16,525.51 in cash, three cell phones, a boarding pass on Southwest Airlines for a flight from Philadelphia to Burbank, California, and false identification documents in the names of "Joshua Irving" and "Bryan Smith."

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 though 4, and Overt Acts 21 through 34 of Count One of this superseding indictment are incorporated here.

2. On or about August 4, 2009, in Bristol Township, Bucks County, in the Eastern District of Pennsylvania and elsewhere, defendant

**NYENE HENRY BAKER, JR.,
a/k/a “Jason Anderson,”
a/k/a “Joshua Irving,”
a/k/a “Bryan Smith,”
a/k/a “Unsco,”
a/k/a “Henry,”**

knowingly and intentionally possessed with intent to distribute, and aided and abetted and wilfully caused the possession with intent to distribute of, 500 grams or more, that is, approximately three kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 5 and Overt Act 35 of Count One of this superseding indictment are incorporated here.
2. On or about February 25, 2010, in Langhorne, in the Eastern District of Pennsylvania, the defendant

**NYENE HENRY BAKER, JR.,
a/k/a “Jason Anderson,”
a/k/a “Joshua Irving,”
a/k/a “Bryan Smith,”
a/k/a “Unsko,”
a/k/a “Henry,”**

as a lessee, managed and controlled rental storage unit #G-24, located at Public Storage, 500 South Flowers Mill Road in Langhorne, Pennsylvania, and knowingly and intentionally leased this storage unit for the purpose of unlawfully storing and distributing marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 856(a)(2).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 5 and Overt Act 35 of Count One of this superseding indictment are incorporated here.
2. On or about February 25, 2010, in Langhorne, in the Eastern District of Pennsylvania, the defendant

**NYENE HENRY BAKER, JR.,
a/k/a “Jason Anderson,”
a/k/a “Joshua Irving,”
a/k/a “Bryan Smith,”
a/k/a “Unsko,”
a/k/a “Henry,”**

knowingly and intentionally possessed with intent to distribute for remuneration a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

NOTICE OF FORFEITURE

THE GRAND JURY FINDS PROBABLE CAUSE THAT:

1. As a result of the violations of Title 21, United States Code, Sections 846, 841(a)(1), and 856, set forth in this superseding indictment, defendant

**NYENE HENRY BAKER, JR.,
a/k/a “Jason Anderson,”
a/k/a “Joshua Irving,”
a/k/a “Bryan Smith,”
a/k/a “Unsko,”
a/k/a “Henry,”**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense, including, but not limited to, the following:

- (1) All rights, title and interest in the real property known as 642 New Willow Street, Trenton, New Jersey, titled in the name of Wonwhe Baker;
- (2) All rights, title and interest in the real property known as 644 New Willow Street, Trenton, New Jersey, title in the name of Wonwhe Baker; and
- (3) Approximately \$16,525.51 in cash seized on or about February 24, 2010 from defendant NYENE HENRY BAKER, JR.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney